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SEP 23 2003
PATENT

TECH CENTER 1600/2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-505-B)

In re Application of:

Progulske-Fox

Serial No.: 09/980,845

Filed: August 4, 2000

For: Microbial Polynucleotides Expressed
During Infection of a Host

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above-identified patent application:

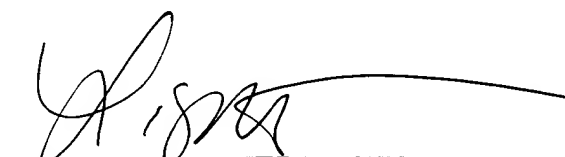
- ☒ Transmittal letter (in duplicate)
- ☒ Second Supplemental Information Disclosure Statement
- ☒ Second Supplemental Information Disclosure Statement (IDS) PTO1449 Form
- ☒ Copies of IDS References (Total 3 References)
- ☒ Return Receipt Postcard

2. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. **13-2490**. A duplicate copy of this sheet is enclosed.

3. **CERTIFICATE OF MAILING UNDER 37 CFR §1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 16, 2003.

Dated: **September 16, 2003**

By:



Lisa M.W. Hillman, Ph.D
Reg. No. 43,673



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SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following references of record in the above-identified application. Copies of the references are enclosed. Copies are also listed in the PTO-1449 form enclosed herewith. It is requested that the documents be given careful consideration and that they be cited of record in the prosecution history of the present application so that they will appear on the face of the patent issuing from the present application.

In the judgment of the undersigned, portions of the references may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. 1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the references.

This Statement is not a representation that the cited references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. sections 102 or 103.

CITED REFERENCES

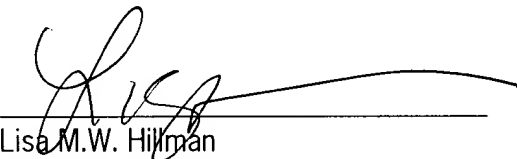
Other Documents

1. PCT International Search Report for PCT/US03/06768, mailed August 13, 2003.
2. Suk et al., *Borrelia burgdorferi* genes selectively expressed in the infected host. Proc. Natl. Acad. Sci. USA May 1995, Vol 95:4269-4273.
3. Lai et al., Identification of genes induced in vivo during *Klebsiella pneumoniae* CG43 infection. Infection and Immunity, November 2001, Vol. 69 (11), p. 7140-7145

Respectfully submitted,

Date: September 16, 2003

by:



Lisa M.W. Hillman
Reg. No. 43,673

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

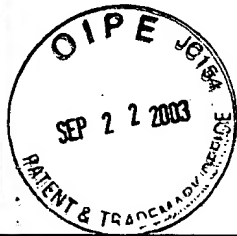
00-505-B

Serial No.

09/980,845

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use several sheets if necessary)



Applicant:

Progulske-Fox

Filing Date:

August 4, 2000

Group:

TBD

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation Yes/No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	1.	PCT International Search Report for PCT/US03/06768, mailed Aug. 13, 2003
	2.	Suk et al., <i>Borrelia burgdorferi</i> genes selectively expressed in the infected host. Proc. Natl. Acad. Sci. USA May 1995, Vol. 95:4269-4273.
	3.	Lai et al. Identification of genes induced in vivo during <i>Klebsiella pneumoniae</i> CG43 infection. Infection and Immunity. Nov. 2001. Vol. 69 (11), p. 7140-7145.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.